

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 109<sup>th</sup> Congress<sup>1</sup>**

[Date approved: January 30, 2006]<sup>2</sup>

**Bill No. and sponsor:** H.R. 3387 (Mr. Jim Ryun, Kansas).

**Proponent name, location:** Payless ShoeSource®, Topeka, KS.

**Other bills on product (109<sup>th</sup> Congress only):** None.

**Nature of bill:** Temporary duty suspension through December 31, 2009.

**Retroactive effect:** None.

**Suggested article description(s) for enactment (including appropriate HTS subheading(s)):**

9902.64.10      Work footwear with outer soles of rubber, plastics, leather or composition leather and uppers of leather, not covering the ankle (provided for in subheading 6403.99.60 or 6403.99.90).

**Check one:**      ☒ Same as that in bill as introduced.  
                         ☐ Different from that in bill as introduced (see Technical comments section).

**Product information, including uses/applications and source(s) of imports:**

The bill covers work footwear with uppers of leather and outer soles of rubber, plastics, or composition leather, not covering the ankle, for men, youths, and boys (statistical reporting number 6403.99.6025). It also covers work footwear of rubber, plastics, leather or composition leather for other persons if the footwear is valued over \$2.50 per pair (statistical reporting number 6403.99.9015).

The subject footwear accounted for less than 0.05 percent of U.S. imports under HTS subheadings 6403.99.60 and 6403.99.90 in 2004, with imports totaling about \$2.4 million and \$1.6 million, respectively. China was the leading supplier of imports of the subject footwear.

<sup>1</sup> Industry analyst preparing report: Laura Rodriguez (202-205-3499); Tariff Affairs contact: Jan Summers (202-205-2605).

<sup>2</sup> An electronic copy of this memorandum is available at [http://usitc.gov/tata/hts/other/rel\\_doc/bill\\_reports/index.htm](http://usitc.gov/tata/hts/other/rel_doc/bill_reports/index.htm).

**Estimated effect on customs revenue:**

<b>HTS subheading <u>6403.99.60</u></b>					
	2005	2006	2007	2008	2009
Col. 1-General rate of duty	8.5%	8.5%	8.5%	8.5%	8.5%
Estimated value <i>dutiable</i> imports <u>1/</u>	\$3,000,000	\$3,000,000	\$3,000,000	\$3,000,000	\$3,000,000
Customs revenue loss	\$255,000	\$255,000	\$255,000	\$255,000	\$255,000

<b>HTS subheading <u>6403.99.90</u></b>					
	2005	2006	2007	2008	2009
Col. 1-General rate of duty	10%	10%	10%	10%	10%
Estimated value <i>dutiable</i> imports <u>1/</u>	\$1,700,000	\$1,700,000	\$1,700,000	\$1,700,000	\$1,700,000
Customs revenue loss	\$170,000	\$170,000	\$170,000	\$170,000	\$170,000

1/ No data are included on imports now entering free of duty or at reduced duty rates under U.S. free trade agreements or tariff preference programs; such imports may be affected by changes in the general duty rate on the subject goods.

Source of estimated dutiable import data: Commission estimates based on data provided by industry and import trends for 2000-2004.

**Contacts with domestic firms/organizations (including the proponent):**

Name of firm/organization	Date contacted	US production of same or competitive product claimed?	Submission attached?	Opposition noted?
		(Yes/No)		
Payless ShoeSource® (Proponent) Curtis Sneden, Director of Government Affairs (785-295-6615)	11/09/05	No	Yes	No
American Apparel and Footwear Association Nate Herman, Director of International Trade (703-797-9062)	11/15/05	No	No	No
Footwear Distributors and Retailers of America Peter T. Mangione, President (202-737-5660)	11/18/05	No	No	No
Rubber and Plastic Footwear Manufacturers Association Mitchell Cooper, Counsel (202-331-1858)	11/07/05	No	No	No

**Technical comments:**<sup>3</sup>

We point out that the term “work footwear” has no legal definition in the HTS; its usage in statistical reporting provisions currently means that importers are applying their own interpretation of the phrase to decide how to report goods they enter. It is not possible to predict how the Customs interpretation of the phrase will compare to current imports, in terms of estimating the revenue loss that might result from this tariff provision.

<sup>3</sup> The Commission may express an opinion on the HTS classification of a product to facilitate consideration of the bill. However, by law, only U.S. Customs and Border Protection is authorized to issue a binding ruling on this matter. The Commission believes that U.S. Customs and Border Protection should be consulted prior to enactment of the bill.

109TH CONGRESS  
1ST SESSION

# H. R. 3387

To suspend temporarily the duty on certain work footwear.

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IN THE HOUSE OF REPRESENTATIVES

JULY 21, 2005

Mr. RYUN of Kansas introduced the following bill; which was referred to the  
Committee on Ways and Means

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## A BILL

To suspend temporarily the duty on certain work footwear.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. CERTAIN WORK FOOTWEAR.**

4       (a) IN GENERAL.—Subchapter II of chapter 99 of  
5       the Harmonized Tariff Schedule of the United States is  
6       amended by inserting in numerical sequence the following  
7       new heading:

“	9902.64.10	Work footwear with outer soles of rubber, plastics, leather or composition leather and uppers of leather, not covering the ankle (provided for in subheading 6403.99.60 or 6403.99.90) ..	Free	No change	No change	On or before 12/31/2009	”.
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1       (b) EFFECTIVE DATE.—The amendment made by  
2 subsection (a) applies to goods entered, or withdrawn from  
3 warehouse for consumption, on or after the 15th day after  
4 the date of the enactment of this Act.

